

REMARKS

The Examiner has required a restriction under 35 U.S.C. §121 and 372 as follows:

- I. Claims 22-33, drawn to a method for discharging a plurality of ammunition rounds, classified in class 102, subclass 430; and
- II. Claims 34-53, drawn to a blank ammunition and a blank ammunition in combination with a discharging apparatus, classified in class 102, subclass 530.

Applicant hereby elects the invention of Group II (claims 34-53) with traverse.

PCT Rule 13.1 requires that an application “shall relate to one invention only or to a group of inventions so linked as to form a single general inventive concept.” PCT Rule 13.2 states, in pertinent part, “where a group of inventions is claimed ... the requirement of unity of invention ... shall be fulfilled only when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features.” Moreover, MPEP Section 803 states that if a search and examination of all the claims of an entire application can be made without serious burden, the Examiner is encouraged to examine it on the merits, even though it includes claims to distinct or independent inventions.

In the present situation, no serious burden upon the Examiner is seen by examining all of the claims of the present application at least since the Examiner’s search of prior art documents corresponding to the method of discharging a plurality of ammunition rounds as recited in independent claims 22 and 30 would overlap with the search of documents related to the ammunition in combination and/or in use with a discharging apparatus as recited in independent claims 34, 35, 37, 39 and 43.

Therefore, if the Examiner reaffirms this Requirement, Applicant elects for claims 34-53 (Group II) to be examined first. However, if the Examiner reconsiders the Requirement for the reason mentioned above, it is believed all of claims 22-53 should be examined.

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Respectfully submitted,
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